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Attorney for Plaintiffs,  
GUSTAVO REYES and MARIA  
TERESA GUERRERO, husband and wife,  
individually, and on behalf of others similarly situated

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GUSTAVO REYES and MARIA TERESA  
GUERRERO, husband and wife, individually,  
and on behalf of others similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A., a national  
bank; and DOES 1-100, inclusive,

Defendants.

) Case No. C 10-01667 (JCS)

) **CLASS ACTION**

) **STIPULATION AND ~~(PROPOSED)~~**  
) **ORDER CONTINUING HEARING AND**  
) **BRIEFING SCHEDULE FOR MOTION**  
) **FOR CLASS CERTIFICATION TO**  
) **FACILITATE MEDIATION**

) **Hon. Magistrate Judge Joseph C. Spero**  
)

**RECITALS**

WHEREAS:

1. Pursuant to the stipulated order filed September 6, 2011 (Dkt. #61), this matter is currently set for hearing on class certification on April 6, 2012, with Plaintiffs' opening brief is due January 9, 2012.

2. Following further discovery and discussion, the parties desire to mediate the case, and to do so *prior* to the commencement of class certification briefing and related expenses.

3. The parties have agreed to mediate this matter for a full day before Hon. Ronald Sabraw (Ret.) of JAMS on February 16, 2012.

4. The parties believe that having mediation prior to briefing class certification is likely to serve the interests of justice and conserve judicial resources and warrants continuance of the hearing date and briefing schedule as set forth below.

**STIPULATION**

THEREFORE, the parties stipulate and request that the Court order as follows:

1. The parties will mediate this matter for a full day before Hon. Ronald Sabraw (Ret.) of JAMS on February 16, 2012.

2. Plaintiffs' deadline to file their motion for class certification is extended from January 9, 2012 to March 21, 2012.

3. Wells Fargo's opposition to the motion shall be due April 23, 2012.

4. Plaintiffs' reply brief shall be due May 11, 2012.

5. The hearing on the motion for class certification shall be continued to the soonest available hearing date based on this briefing schedule except that the parties request that the hearing not be scheduled for any date between June 16 and July 16, 2012.

6. This stipulation is without prejudice to the rights, claims, defenses and arguments of all parties.

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**IT IS SO STIPULATED**

DATE: December 20, 2011

HAGENS BERMAN SOBOL SHAPIRO LLP  
LAW OFFICE OF PETER FREDMAN  
LAW OFFICE OF DAVID PIVTORAK

By: /s/ Peter Fredman  
Attorneys for Plaintiffs

DATE: December 20, 2011

SEVERSON & WERSON  
A Professional Corporation

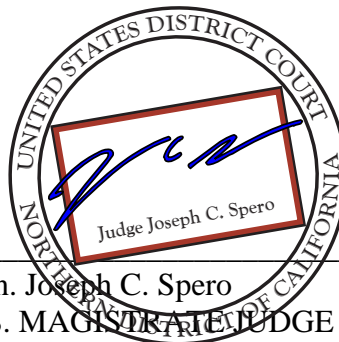
By: /s/ Michael J. Steiner  
Attorney for Defendant

**ORDER**

1. The parties shall mediate as agreed.
2. The hearing on class certification shall be on TO BE SET BY THE COURT - JCS
2. Plaintiffs shall file their motion for class certification by March 21, 2012.
3. Defendant's opposition shall be due April 23, 2012.
4. Plaintiffs' reply brief is due May 11, 2012.

**IT IS SO ORDERED**

Date: 12/21/11



Hon. Joseph C. Spero  
U.S. MAGISTRATE JUDGE